



Reprinted  
February 2, 2007

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## HOUSE BILL No. 1243

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DIGEST OF HB 1243 (Updated February 1, 2007 2:14 pm - DI 71)

**Citations Affected:** IC 16-28; noncode.

**Synopsis:** Fire sprinklers and smoke detectors in nursing homes. Requires certain health facilities to have automatic fire sprinkler systems before July 1, 2012. Provides that if a system is not installed before July 1, 2010, a plan for completion must be submitted to the state department of health (state department). Requires the health facilities to have a smoke detector in each resident's room before July 1, 2012. Requires the state department to publish in the state department's consumer guide to nursing homes the types of fire sprinkler systems and smoke detectors in a nursing home.

**Effective:** Upon passage; July 1, 2007.

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**Mays, Hoy, Thompson,  
Candelaria Reardon**

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January 11, 2007, read first time and referred to Committee on Public Policy.  
January 25, 2007, reported — Do Pass.  
February 1, 2007, read second time, amended, ordered engrossed.

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HB 1243—LS 6482/DI 96+



First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## HOUSE BILL No. 1243

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-28-11-5 IS ADDED TO THE INDIANA CODE  
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2007]: **Sec. 5. (a) This section does not apply to the Indiana  
4 Veterans' Home.**

5 **(b) A health facility licensed under IC 16-28 as a comprehensive  
6 care facility must do the following:**

7 **(1) Have an automatic fire sprinkler system installed  
8 throughout the health facility before July 1, 2012.**

9 **(2) If an automatic fire sprinkler system is not installed  
10 throughout the health facility before July 1, 2010, submit  
11 before July 1, 2010, a plan to the state department for  
12 completing the installation of the automatic fire sprinkler  
13 system before July 1, 2012.**

14 **(3) Have a battery operated or hard wired smoke detector in  
15 each resident's room before July 1, 2012.**

16 **(c) The state department shall adopt rules under IC 4-22-2 to  
17 implement this section.**

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SECTION 2. IC 16-28-11-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 6. The state department shall disclose, in the state department's consumer guide to nursing homes, whether a health facility is:**

- (1) fully;
- (2) partially; or
- (3) not;

**equipped with fire sprinklers.**

SECTION 3. IC 16-28-11-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 7. The state department shall disclose the following information in the state department's consumer guide to nursing homes:**

- (1) Until July 1, 2012, whether a health facility has:

- (A) a battery operated;
- (B) a hard wired; or
- (C) no;

**smoke detector in each resident's room.**

- (2) After June 30, 2012, whether a health facility has:

- (A) a battery operated; or
- (B) a hard wired;

**smoke detector in each resident's room.**

- (3) If a health facility has a hard wired or wireless smoke detector in each resident's room, whether the smoke detector:

- (A) provides a visual and audible signal at the nurses' stations that attend each room;
- (B) transmits to a central station service; and
- (C) connects to the health facility's fire alarm system.

SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "commissioner" has the meaning set forth in IC 16-18-2-340.

(b) Notwithstanding IC 16-28-11-5, as added by this act, the state department of health shall carry out IC 16-28-11-5, as added by this act, under interim written guidelines approved by the commissioner.

- (c) This SECTION expires on the earlier of the following:

- (1) The date rules are adopted under IC 16-28-11-5, as added by this act.
- (2) January 1, 2009.

SECTION 5. An emergency is declared for this act.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1243, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

VAN HAAFTEN, Chair

Committee Vote: yeas 11, nays 0.

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1243 be amended to read as follows:

Page 1, between lines 13 and 14, begin a new line block indented and insert:

**"(3) Have a battery operated or hard wired smoke detector in each resident's room before July 1, 2012."**

Page 2, line 13, delete "Whether" and insert **"Until July 1, 2012, whether"**.

Page 2, between lines 17 and 18, begin a new line block indented and insert:

**"(2) After June 30, 2012, whether a health facility has:**

**(A) a battery operated; or**

**(B) a hard wired;**

**smoke detector in each resident's room."**

Page 2, line 18, delete "(2)" and insert **"(3)"**.

(Reference is to HB 1243 as printed January 26, 2007.)

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